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K Great Brit. - George II

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257. d. 10  
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26 Geo. II. c. 10

*An ACT for Sale of divers Lands and Hereditaments in the County of Gloucester, devised by the Will of Alice Gilbert, Spinster, for raising Money to discharge several Debts and Legacies; and for laying out the Surplus in the Purchase of Lands, to be settled to the Uses of her Will.*



**A** *Verres Alice Gilbert, of Plymouth, in the County of Devon, Spinster, made her last Will and Testament in Writing, bearing Date on or about the Twenty-ninth Day of August One thousand Seven hundred and Forty; and thereby, after giving and bequeathing all her personal Estate to her Sister Emm Gilbert, except as is therein excepted, she gave to her Nephew Doctor John Gilbert, then Dean of Exeter, and now Lord Bishop of Salisbury, Twenty Pounds for Mourning; and she gave Twenty Pounds to such poor Persons, in such Manner, Shares, and Proportions, and at such Times, as her said Sister, in her Dis-*

cretion,

cretion, should think fit; and she gave Thirty Pounds unto poor Persons, to be within, or at the End of, One Year, after the Death of her said Sister, distributed to and amongst such poor Persons, and in such Proportions, as her said Sister should, by her Will, or any other Writing under her Hand, direct or appoint; and, for want of such Appointment, then by the Executors or Administrators of her said Sister, in such Manner and Proportions as they, in their Discretion, should think fit; and she thereby gave and devised unto *Robert Dorrell*, of *Richmond*, in the County of *Surry*, Esquire, and *Edward Stanley*, of the *Inner Temple*, *London*, Esquire, now *Sir Edward Stanley*, Baronet, and their Heirs, all that her undivided Moiety or Half-part of and in all those Manors or Lordships, or reputed Manors or Lordships, Advowsons, and Church-Patronages, Messuages, Lands, Tenements, and Hereditaments, situate, lying, and being, in the County of *Gloucester*, with their and every of their Rights, Members, and Appurtenances, whereof or wherein she and her Sister *Emm Gilbert* were seised in Fee, as Tenants in common; and all other the Manors or Lordships, reputed Manors or Lordships, Advowsons, Lands, Tenements, and Hereditaments, Moieties, Parts, and Portions, of Manors or Lordships, or reputed Manors or Lordships, Advowsons, Messuages, Lands, Tenements, and Hereditaments, situate, lying, or being, in the same County, whereof or wherein she was seised of, or intitled unto, any Estate of Inheritance in Fee-simple, with their and every of their Rights, Members, and Appurtenances; to hold to them, and their Heirs, to the Uses, Intents, and Purposes, therein after-mentioned; that is to say, To the Use and Intent that, if her Niece *Elizabeth Gilbert* should, at the time of the Death of the longer Liver of her the said Testatrix, and her said Sister, happen to be a Feme Covert, or married Woman, then the said *John* now Lord Bishop of *Salisbury*, and his Brother *Robert Gilbert*, Clerk, and the Survivor of them, his Heirs and Assigns, should and might, after the Decease of the Survivor of them the said Testatrix, and her said Sister, receive, during the Life of the said *Elizabeth Gilbert*, an Annuity, or yearly Rent-charge, of Twenty Pounds, in Trust, for her separate Use; and to the Use and Intent for securing to the same Trustees the Annuity or yearly Rent-charge of Fifteen Pounds, in Trust for the separate Use of *Martha Gilbert*, the Testatrix's Niece, during her Life, in case she should happen to be a Feme Covert at the time of the Death of the Survivor of the Testatrix, and her Sister; and also for securing for the separate Use of *Emm Gilbert*, Niece of the Testatrix, the like Annuity of Fifteen Pounds, during her Life, upon the like Contingency of her being a Feme Covert at the time of the Death of such Survivor; and also for securing to the said *Elizabeth Gilbert*, in case she should happen to be a single and unmarried Woman, either Maid

or



or Widow, at the time of the Death of such Survivor, the Annuity of Twenty Pounds, during so long as she should continue single and unmarried, but no longer; with a Clause, or Declaration, that if the said *Elizabeth Gilbert* should then be a single and unmarried Woman, and should afterwards marry, then the said Annuity should determine; and she thereby gave unto her, in such Case, the Sum of Five hundred Pounds, to be paid, with Interest after the Rate of Three Pounds by the Year for every One hundred Pounds, at the End of Two Years next after such her Marriage, and the Death of the Survivor of the said Testatrix, and her said Sister, and not before, and the Interest to be computed from the time of the same Marriage; and also for securing to the said *Martha Gilbert* and *Emm Gilbert*, Nieces of the said Testatrix, in case they respectively should be single and unmarried at the Death of such Survivor, the Annuity of Fifteen Pounds apiece, during their continuing sole and unmarried; and the like Clauses or Declarations for determining the said Annuities; and purporting Bequests of Three hundred Pounds apiece to the said *Martha Gilbert* and *Emm Gilbert* respectively, upon the like Contingency, with such Interest, as aforesaid; and also for securing to *Mary Crispin* and *Matthew Palmer*, Servants of the Testatrix, and her Sister, the Annuities of Five Pounds apiece for their respective Lives, in case they should be living with her, and her Sister, or with her, at the time of her Death; and also purporting Bequests of Fifty Pounds to each of them the said *Mary Crispin* and *Matthew Palmer*, if they respectively should, after the Death of either the Testatrix, or her Sister, continue menial Servants to the Survivor of them, during her Life, to be paid at the End of Two Years next after the Death of such Survivor, without any Interest for the same: And she willed and directed, That the said several and respective Annuities, or Rents-charge, should be yearly issuing and going out of the said devised Premises in the County of *Gloucester*; other than and except such and such Parts thereof as her said Sister is therein after empowered to demise or lease for Life or Lives, or for Years determinable on Life or Lives, and such Parts and Parcels of the same Premises as should be by her demised or leased for Years absolute, or demised or leased by way of Mortgage, according to her Power therein expressed or mentioned; and to be paid, without any Deduction for Taxes, by half-yearly Payments, with Power of Entry and Distress upon the Premises, for better securing and recovering the same; and as to such and such Parts of the Premises thereby devised, as the said Annuities were to be issuing out of, subject to, and charged with, the said Annuities, and the Powers of Entry and Distress; and also as to all the Rest and Residue of the Premises thereby devised, lying or being in the County of *Gloucester*, with their and every of their Appurtenances, to the Use of the Testatrix's Sister *Emm Gilbert*,  
for

for her Life, without Impeachment of Waste, except voluntary Waste in Houses and Buildings; with Power for her, at any time or times, during her Life, by Indenture under her Hand, to demise or lease to any Person or Persons, for One, Two, or Three Life or Lives absolute, or for the Term of Ninety-nine Years, determinable by or upon the Death or Deaths of One, Two, or Three Person or Persons, in the respective Leases to be named, in Possession, Reversion, or Expectancy, all and every, or any, of the said thereby devised Premises, lying or being in the County of *Gloucester*, or any Part or Parts thereof, which, in or during the Space of Forty or Fifty Years then last past, had accustomably or usually been so demised, leased, or granted, at and under the usual and accustomed Rents, Heriots, and Services, and subject to and under the Restrictions therein mentioned; and also with Power for her the said *Emm Gilbert*, the Testatrix's Sister, to demise or lease a competent Part of the rest and other of the Premises in the County of *Gloucester*, except the capital Mansion-house thereof, and the Outhouses, Courts, Orchards, and Gardens, thereunto belonging, for and during any Term of Years absolute, not exceeding Fourscore Years, without Impeachment of Waste, under the yearly Rent of Four Shillings, by Quarterly Payments; or to demise, lease, or grant, by way of Mortgage to any Person or Persons, any competent Part of such said rest and other of the same Premises, for any Term or Number of Years, not exceeding One hundred and Fifty Years, without Impeachment of Waste, for the raising and levying Money sufficient for the paying and discharging all such Debts, as, at the time of the Testatrix's Death, should be due and owing by and from her only, and a Moiety of all such Debts as should be due and owing from her and her said Sister jointly; and also for raising and levying the Sum of Two hundred and Fifty Pounds, which she gave to her said Sister, to reimburse and satisfy such Expences as she should be at for, or in respect of, her Funeral, and certain Legacies therein mentioned; and as to all such and such Parts of the Premises in the County of *Gloucester*, as the said Annuities are to be issuing out of, subject to the said Annuities, and the said Powers of Entry and Distress; and as to such and such Part of the Premises, whereof her said Sister is thereby impowered to make Leases, as aforesaid, as there should not be any such Lease or Leases of, at the time of her Death, subsisting and unexpired; and as to the rest and other of the Premises, as there should be any Lease or Leases thereof respectively subsisting at the time of the Death of her Sister, immediately after the Death of her said Sister, and the Determination of the same subsisting Leases respectively; and after the Death of her said Sister, as to all and singular the rest and other of the said Premises thereby devised, lying or being in the said County of *Gloucester*, to the Use of the said *Robert Dorrell*



*Dorrell* and *Sir Edward Stanley*, their Executors, Administrators, and Assigns, for the Term of Two hundred Years, upon the Trusts therein after-mentioned; and, after the End or Determination of the said Term of Two hundred Years, subject and charged respectively as aforesaid, to the Use of the said *John* now Lord Bishop of *Salisbury*, for his Life; Remainder to the said *Robert Dorrell* and *Sir Edward Stanley*, and their Heirs, during the Life of the said Lord Bishop, in Trust, to preserve the contingent Remainders; and, after his Death, to the Use of the First and every other Son of his Body, lawfully to be begotten, successively in Tail Male; with Remainders over to the said *Robert Gilbert*, Clerk, and the Sons of his Body, lawfully to be begotten, in like manner as the Premises are therein before limited to the said Lord Bishop, and the Sons of his Body; with like Remainders over to her Nephew *Thomas Gilbert*, and the Sons of his Body; with like Remainders over to her Nephew *Charles Gilbert*, and the Sons of his Body; with like Remainders over to her Nephew *Edward Gilbert*, and the Sons of his Body; with Remainder to her own right Heirs: And the said Term of Two hundred Years was thereby declared to be limited to the said *Robert Dorrell* and *Sir Edward Stanley*, upon Trust, that if any Mortgage or Mortgages, made by the said Testatrix, and her said Sister, of and in all or any Part of the Premises in the County of *Gloucester*, whereof they were seised in Fee, as Tenants in common, should remain unsatisfied, at the time of the Death of the Survivor of them; then the said Trustees should, out of the clear Rents and Profits of the said Trust-Premises, in the First place, pay her the said Testatrix's Moiety or Share of the Interest due on such Mortgage or Mortgages at the time of her Death, and afterwards, from time to time, keep down the growing Interest of the same Mortgage or Mortgages, as is therein mentioned; and also keep down the Interest of any such Mortgage or Mortgages, as should be made after her Death by her said Sister, of any such of the Premises in the County of *Gloucester*, as she is therein before impowered to make, which should be subsisting, and unsatisfied, at the time of her Death, in such manner as is therein mentioned; and also upon Trust, that if all, or any Part, of the Money, which the said Testatrix's Sister is thereby impowered to raise for Payment of Debts, or of the said Sum of Two hundred and Fifty Pounds, should, at the time of her Death, remain unraised, then the said Trustees should, by Sale of some fit and proper Timber, Timber-trees, and Coppice-wood, or by leasing or mortgaging a competent Part of the Premises, or out of the Rents and Profits thereof, as is therein mentioned, raise and levy the said Two hundred and Fifty Pounds, and other Monies, or such Part thereof as should be remaining unraised at the time of the Death of the said Testatrix's Sister, and pay and apply the same for or towards the Discharge of such of the said Debts as should remain unsatisfied, and

the Surplus, if any, to the Executors or Assigns of her said Sister; and, subject thereto, upon Trust, by the Ways and Means therein mentioned, to raise, levy, and pay, the several Sums of Money to the several Persons therein after-named; that is to say, the Sum of One hundred Pounds to her said Nephew *Robert Gilbert*; the Sum of One thousand Pounds to her Grand-Niece *Emm Gilbert*, Daughter of the said *John Lord Bishop of Salisbury*, if she should survive the Testatrix and her Sister, and attain to the Age of Twenty-one Years, to be paid at such time, and in such manner, as is therein mentioned; and also the said Legacies or Sums of Five hundred Pounds, Three hundred Pounds, Three hundred Pounds, Fifty Pounds, and Fifty Pounds, to her said Nieces, *Elizabeth Gilbert*, *Martha Gilbert*, and *Emm Gilbert*, and the said *Mary Crispin* and *Matthew Palmer*: And she gave all the Residue of her Goods, Chattels, Money, personal Estate, and Effects whatsoever, after Payment and Discharge of her Funeral Charges, and the said several Legacies, of Twenty Pounds and Twenty Pounds, unto her said Sister *Emm Gilbert*, her Executors, Administrators, and Assigns; her Will and Intent being, that such of her said residuary or any other of her personal Estate, should not be in any-wise charged with, or affected by, all, any, or either, of the other pecuniary Legacies, or Sums of Money, therein before given, or the said Debts, or any or either of them; the Payment and Discharge thereof having been therein before, so as aforesaid, provided for: And she made and appointed her Sister *Emm Gilbert* sole Executrix of her said Will; and the said *John* now Lord Bishop of *Salisbury*, Nephew and Heir at Law of the Testatrix, hath, by an Instrument or Writing, under his Hand and Seal, ratified and confirmed the said Will:

**And whereas** the said *Emm Gilbert* died in the Year One thousand Seven hundred and Fifty, unmarried, and without Issue; and the said *Charles Gilbert* is since also dead without Issue; and the said *Thomas Gilbert* hath Issue *Thomas Gilbert* the younger, his eldest Son, who hath attained his Age of Twenty-one Years; and there is no Issue Male of the said Bishop, or of the said *Robert Gilbert* and *Edward Gilbert*, his Brothers, or of any of them, now living:

**And whereas** the Premises, devised by the said recited Will, are charged with several principal Sums of Money, amounting to One thousand and Forty-three Pounds and Seventeen Shillings, secured by Mortgages made by the said *Alice Gilbert* the Testatrix, and *Emm Gilbert* her Sister, respectively, and Interest for the same; and also with the Legacies given, and appointed to be paid, by the same Will, at the Times, and on the Contingencies, therein mentioned, and amounting together to One thousand Two hundred and Thirty Pounds; and, with the said several Annuities, payable in the mean time to the Testatrix's Three Nieces, who are still unmarried, and to her Two Servants therein named, amounting together to Sixty Pounds *per Annum*:

And



And whereas the annual Rents and Profits of the Premises, devised by the said Will, have not, for Ten Years last past, produced, at an Average, above the clear yearly Sum of One hundred and Forty-eight Pounds; and consequently are not sufficient to pay and satisfy the Interest of the said Mortgage-Debt and Legacies, and the Annuities charged upon the same: And as the said Incumbrances (whilst the Estate charged and affected with the same remains in its present Situation and Circumstances) will probably increase, to the Prejudice of some of the Incumbrancers, and Diminution of their Securities; and which are liable, by a Foreclosure of the Equity of Redemption, under the said Mortgages, to be totally defeated, and lost, it would be greatly beneficial, and is apprehended to be absolutely necessary, in order to secure and preserve some Part of the Produce of the said Estate, so devised, for the Benefit of the Family on whom the same is settled, that the same should be sold, and converted into Money; But as such Sale and Disposition cannot, by reason of the Limitations contained in the said Will, be effected, or a good Title made of the Premises to a Purchaser, without the Aid and Authority of an Act of Parliament;

Therefore Your Majesty's most dutiful and loyal Subjects, the said John Bishop of Salisbury, Robert Gilbert, Thomas Gilbert the elder, Thomas Gilbert the younger, and Edward Gilbert,

Do most humbly beseech Your M A J E S T Y,

That it may be Enacted: And be it Enacted, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all that undivided Moiety, or Half-part, late of her the said Alice Gilbert the Testatrix, the Whole into Two equal Parts to be divided, of and in the Manors or Lordships, or reputed Manors or Lordships, of Brinsfield and Cranbam, in the County of Gloucester, and all and every other the Manors or Lordships, or reputed Manors or Lordships, Advowsons, Messuages, Lands, Tenements, and Hereditaments, and Parts and Shares of Manors or Lordships, Advowsons, Messuages, Lands, Tenements, and Hereditaments, situate, lying, and being, in the said County of Gloucester, which in and by the said recited Will of the said Alice Gilbert, were given and devised to the said Robert Dorrell and Edward Stanley, now Sir Edward Stanley, and their Heirs, to the Uses, and for the Purposes, therein mentioned, with their, and every of their, Rights, Royalties, Members, and Appurtenances, and the Reversion and Reversions, Remainder and Remainders, of the same Premises, shall, from and after the Twenty-fifth Day of March One thousand Seven hundred and Fifty-three, be settled upon, and vested

vested in, and the same are from thenceforth settled upon, and vested in, *Samuel Torriano*, of *Putney*, in the County of *Surry*, Esquire, and *Edmund Butler*, of the *Middle-Temple*, *London*, Gentleman, their Heirs and Assigns, to the Use of them the said *Samuel Torriano* and *Edmund Butler*, their Heirs and Assigns for ever; subject nevertheless, and without Prejudice, to the said several Annuities, or yearly Rents-charge of Twenty Pounds, Fifteen Pounds, Fifteen Pounds, Five Pounds, and Five Pounds, in and by the said Will secured and provided, or intended to be secured and provided, unto and for the said *Elizabeth Gilbert*, *Martha Gilbert*, and *Emm Gilbert*, the Testatrix's Nieces, and to the said *Mary Crispin* and *Matthew Palmer*, her Servants, respectively, during the respective times therein mentioned; and subject also, and without Prejudice, to the raising and paying the said gross Sums of Five hundred Pounds, Three hundred Pounds, and Three hundred Pounds, to them the said *Elizabeth Gilbert*, *Martha Gilbert*, and *Emm Gilbert*, at the Times, and upon the Contingencies, therein also mentioned; but freed and discharged, and absolutely acquitted, exempted, and exonerated, of, from, and against, all and every other the Uses, Trusts, Powers, Provisoos, Limitations, and Contingencies, limited, created, and declared, of and concerning the same Premises, in and by the said Will.

**And it is hereby Enacted and Declared**, That the said undivided Moiety and Premises hereby settled upon, and vested in, the said *Samuel Torriano* and *Edmund Butler*, and their Heirs, as aforesaid, are and were so vested in them, upon the Trusts, and to and for the Ends, Intents, and Purposes, herein after-mentioned; that is to say, Upon Trust, and to the Intent, that they the said *Samuel Torriano* and *Edmund Butler*, or the Survivor of them, or the Heirs of such Survivor, shall and do, with all convenient Speed, sell and dispose of the said Moiety and Premises, and the Fee-simple and Inheritance thereof (subject nevertheless, and without Prejudice, as aforesaid), unto such Person or Persons as shall be willing to become Purchaser or Purchasers thereof, for the most Money, and best Price and Prices, that the said Trustees can get for the same; and shall and do pay, apply, and dispose of, the Money arising, and to be produced, by such Sale, to and for the Uses, Intents, and Purposes, herein after-mentioned, expressed, and declared; that is to say, In the first place, for the paying and defraying the Charges and Expences incident to the obtaining this present Act; and, in the next place, for the paying and discharging the Sum of Twenty-five Pounds Eleven Shillings and Nine Pence unto him the said *John Lord Bishop of Salisbury*, who is the Owner and Proprietor of the other Moiety of the said Manors and Premises in the County of *Gloucester*, being one Moiety of the Sum of Fifty-one Pounds Three Shillings and Six Pence laid out and expended by him in procuring and obtaining an absolute Conveyance

of



of the Inheritance, and Equity of Redemption, of the said Manors, or reputed Manors, and Premises, whereof the undivided Moiety is vested and settled by this Act; and afterwards, and in the next place, for the paying, satisfying, and discharging, the said Sum of One thousand and Forty-three Pounds Seventeen Shillings, so charged and secured upon the Premises by Mortgage, as aforesaid, and all Interest due, and to grow due, for the same; and afterwards the said several Legacies of One thousand Pounds, One hundred Pounds, Fifty Pounds, Fifty Pounds, and Thirty Pounds, in and by the said Will given and bequeathed, or directed to be raised and paid, to and for the said *Emm Gilbert*, who hath attained her Age of Twenty-one Years, *Robert Gilbert*, *Mary Crispin*, and *Matthew Palmer*, respectively, as aforesaid, and all Interest due, or to grow due, for the same, respectively.

**And it is hereby Enacted and Declared,** That they the said *Samuel Torriano* and *Edmund Butler*, or the Survivor of them, or the Heirs of such Survivor, shall and do, after Payment and Discharge of the said several Sums of Money herein before directed and appointed to be issued and paid, as aforesaid, lay out, apply, and dispose of, the then Residue and Surplus of the Money arising by Sale of the Premises vested and settled by this Act, in One or more Purchase or Purchases of Lands, Tenements, or Hereditaments, in Fee-simple in Possession; and shall and do, immediately after such Purchase or Purchases shall be made, settle, convey, and assure, the Lands, Tenements, and Hereditaments, so to be purchased, to the Use of the said *John Lord Bishop of Salisbury*, for his Life, without Impeachment of Waste; with Remainder to Trustees, and their Heirs, during his Life, in Trust, to preserve the contingent Remainders; and, after his Death, to the Use of the First and every other Son of his Body lawfully to be begotten successively in Tail Male; with Remainders over to the said *Robert Gilbert*, and the Sons of his Body lawfully begotten, in like manner as the same Lands, Tenements, and Hereditaments, are herein before directed to be limited to the said Lord Bishop, and the Sons of his Body; with like Remainders over to the said *Thomas Gilbert*, *Edward Gilbert*, and the Sons of their Bodies respectively; with Remainder to the right Heirs of the said *Alice Gilbert* the Testatrix, for ever; or such and so many of the said Uses and Estates as shall be then subsisting, or capable of taking Effect.

**And it is hereby Enacted and Declared,** That they the said *Samuel Torriano* and *Edmund Butler*, and the Survivor of them, and the Heirs and Assigns of such Survivor, shall and do in the mean time, and until such Sale or Sales shall be made of the Premises vested by this Act, as aforesaid, permit and suffer the same Premises to be held and enjoyed, and the Rents, Issues, and Profits thereof to be had, received, and taken, by such Person and Persons as would be intitled to,

and ought to hold and enjoy the same, in case these Presents had not been made: And also that, in the mean time, after the Sale and Conveyance of the Premises hereby vested, in Trust, to be sold, as aforesaid, or any Part thereof, and until such Conveyance and Settlement shall be made, executed, and effected, of the Lands, Tenements, or Hereditaments, hereby directed to be purchased with the Money arising by such Sale and Sales, pursuant to, and according to, the Tenor and true Meaning of this Act, it shall and may be lawful to and for the said *Samuel Torriano* and *Edmund Butler*, and the Survivor of them, and the Heirs of such Survivor, to place out the Money arising by such Sale or Sales upon Government or Real Security, at Interest; and also, from time to time, to call in the principal Money so to be placed out, and to place the same out again on new or other Securities of the like Nature, at Interest; and to pay the Interest, Dividends, and yearly Proceed, arising and to be produced from such Funds or Securities, unto such Person or Persons as would be intitled to receive the Rents and Profits of the Lands and Hereditaments hereby directed to be purchased, in case the same were purchased and settled, pursuant to this Act.

And, for promoting and facilitating the Sale of the Premises hereby vested to be sold, as aforesaid, **It is hereby further Enacted and Declared**, That the Receipt and Receipts of the said *Samuel Torriano* and *Edmund Butler*, or the Survivor of them, or the Heirs or Assigns of such Survivor, under their, his, or her, Hands or Hand respectively, shall be a sufficient Discharge to the Purchaser or Purchasers of the Premises, or any Part thereof, and to his and their respective Heirs, Executors, Administrators, and Assigns, for so much of the said Purchase-money for which such Receipt or Receipts shall be given; and after such Receipt or Receipts, the said Purchaser or Purchasers, his, her, and their Heirs, Executors, Administrators, and Assigns, shall be, and is and are hereby, absolutely acquitted and discharged of and from the same; and he, they, or any of them, after such Receipt or Receipts, shall not be answerable or accountable for any Loss, Misapplication, or Non-application, of the said Purchase-money, or any Part thereof.

**And it is hereby further Enacted and Declared**, That the said *Samuel Torriano* and *Edmund Butler* shall not, nor shall either of them, or the Heirs, Executors, or Administrators, of either of them, be answerable or accountable for any Money to be received by virtue of, or under, the Trusts hereby in them reposed, any otherwise than each Person for such Sum and Sums of Money as he or they shall respectively actually receive; and that no one of them shall be answerable or accountable for the Acts, Receipts, Neglects, or Defaults, of the other of them; and also that they the said *Samuel Torriano* and *Edmund Butler*, their respective Heirs, Executors, and Administrators, shall  
and



and may, by and out of the Rents, Issues, and Profits, of the Premises hereby vested in them, as aforesaid, or out of the Money arising by the Sale thereof, retain to and reimburse themselves for all reasonable Costs, Charges, Damages, and Expences, that they respectively shall or may sustain, or be put unto, in and about the Execution of the Trusts hereby in them reposed.

**Saving always** to the KING's most Excellent MAJESTY, his Heirs and Successors, and to the several Persons claiming any Sum or Sums of Money secured by Mortgage of the Premises, or any Part thereof, or any Annuity or pecuniary Legacy given or bequeathed, or directed to be paid, by the said Will, and to all and every other Person and Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (Other than and except the said *John* Lord Bishop of *Salisbury*, *Robert Gilbert*, *Thomas Gilbert* the elder, and the said *Edward Gilbert*, and their First and other Sons respectively, and the Heirs Male of the respective Bodies of such Sons, and the right Heirs of the said *Alice Gilbert* the Testatrix), All such Estate, Right, Title, Interest, Claim, and Demand whatsoever, of, in, to, or out of, the Manors, Lands, Tenements, Hereditaments, and Premises, vested by this Act, as they every, or any of them, had before the Passing of this Act, or could or might have had, held, and enjoyed, in case this Act had not been made.

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vised by the Will of Alice  
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